

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

COOPER LIGHTING, LLC,

Plaintiff,

V.

CORDELIA LIGHTING, INC.,

and

JIMWAY, INC.

Defendants.

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Civil Action No. 1:16-cv-02669-MHC

**UNOPPOSED MOTION TO EXTEND PAGE LIMITS FOR CORDELIA
LIGHTING’S OPENING AND COOPER LIGHTING’S RESPONSIVE
CLAIM CONSTRUCTION BRIEFS**

Defendants Cordelia Lighting, Inc. and Jimway, Inc. (collectively, “Cordelia”) hereby respectfully request an extension of the page limits for Cordelia’s Opening Claim Construction Brief pursuant to Local Patent Rule 6.5(a), which is due on March 27, 2017 per the Scheduling Order (Dkt. 21), and for Cooper Lighting, LLC’s (“Cooper”) Responsive Claim Construction Brief pursuant to Local Patent Rule 6.5(b), which is due on April 17, 2017 per the Scheduling Order (Dkt. 21).

Local Rule 7.1D states that, “[a]bsent prior permission of the court, briefs filed in support of a motion or in response to a motion are limited in length to twenty-five (25) pages.” It is unclear whether this limitation applies to claim

construction briefs, because claim construction briefs are filed as directed by Local Patent Rule 6.5 and not in support of a discrete motion. The nature of the patent claim construction process and the number of individual terms that typically require construction vary from case to case, and the Local Patent Rules do not include any limitations on the length of claim construction briefs. Nevertheless, in an abundance of caution, and to the extent that leave of Court is necessary, Cordelia respectfully requests leave of this Court to allow Defendants thirty-two (32) pages for their Opening Claim Construction Brief and Plaintiff thirty-two (32) pages for its Responsive Claim Construction Brief. Cordelia will abide by a twenty-five (25) page limit for its Responsive Claim Construction Brief, and Cooper will abide by a twenty-five (25) page limit for its Opening Claim Construction Brief.

Cordelia has determined that the additional pages are necessary to adequately address all the disputed claim terms and to enable it to include information in its brief for the Court's convenience, including tables setting forth the parties' proposed constructions and reproductions of supporting figures and text from the patent-in-suit and other evidence. Further, Cooper has agreed not to oppose Cordelia's request for additional pages for its Opening Claim Construction Brief if Cooper is allowed to also utilize Thirty-two (32) pages for its Responsive Claim Construction Brief.

Accordingly, to the extent that this Court finds that the page limitations of

Rule 7.1D are applicable to claim construction briefs, Cordelia respectfully requests that Cordelia be permitted to file an Opening Claim Construction Brief of no more than thirty-two (32) pages, and that Cooper be permitted to file its Responsive Claim Construction Brief of no more than thirty-two (32) pages.

A proposed order is attached to this Motion as Exhibit A for the Court's convenience.

Respectfully submitted this 27th day of March, 2017.

Counsel for Defendants

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CERTIFICATE OF COMPLIANCE

Pursuant to Local Rule 7.1D, counsel certifies that the foregoing Motion was prepared in Times New Roman, 14 point font, in compliance with Local Rule 5.1C.

/s/ Seth K. Trimble

Seth K. Trimble

Counsel for Defendants

CERTIFICATE OF SERVICE

I hereby certify that on this date, March 27, 2017, the foregoing UNOPPOSED MOTION TO EXTEND PAGE LIMITS FOR OPENING AND RESPONSIVE CLAIM CONSTRUCTION BRIEFS was electronically filed with the Clerk of Court using the CM/ECF system which will automatically send email notification of such filing to all counsel of record in this action.

/s/ Seth K. Trimble

Seth K. Trimble

Counsel for Defendants